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PATENT  
ATTORNEY DOCKET NO.: 040894-5507

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Haruo TANAKA

Application No.: 09/447,419

Filed: November 23, 1999

For: ORGANIC EL DEVICE AND METHOD OF  
MANUFACTURING THE SAME

Confirmation No. 3789

Group Art Unit: 2879

Examiner: M. Santiago

RECEIVED  
MAR 13 2003  
TECHNOLOGY CENTER 2800

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**AMENDMENT TRANSMITTAL FORM**

1. Transmitted herewith is an Amendment in response to the Non-Final Office Action dated September 9, 2002, (Paper No. 11), the period of response to which having been extended through March 9, 2003 by a petition for an extension of time.
2. Additional papers enclosed.
  - ☐ Notice of Appeal
  - ☐ Request for Approval of Drawing Changes
  - ☐ Information Disclosure Statement
  - ☐ PTO Form 1449
  - ☐ References cited on Form 1449
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 410.00	\$205.00
<input checked="" type="checkbox"/> three months	\$ 930.00	\$465.00
<input type="checkbox"/> four months	\$1,450.00	\$725.00
<input type="checkbox"/> five months	\$1,970.00	\$985.00

Extension of time fee due with this request: \$930.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for \_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. **CONSTRUCTIVE PETITION**

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. **FEE CALCULATION**

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	1	minus	20	0	0 x \$18 each=	+ 0.00
Independent Claims	1	minus	3	0	0 x \$80 each=	+ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$270.00	+ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						0.00
TOTAL FEE =						\$ 0.00

6. **FEE PAYMENT**

[ ] No fee is to be paid at this time.

[X] The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

[X] Please charge Deposit Account No. 50-0310 the amount of \$930.00 for a three-month extension of time fee. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

- [X] The Commissioner is hereby authorized to charge any additional fees including fees due under 37 C.F.R. § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: March 7, 2003

By: 

Angela S. Robinson  
Reg. No. 52,174

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